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# **PRELIMINARY DRAFT**

## **No. 3080**

**PREPARED BY**  
**LEGISLATIVE SERVICES AGENCY**  
**2013 GENERAL ASSEMBLY**

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### **DIGEST**

**Citations Affected:** None (noncode).

**Synopsis:** Pension thirteenth checks. Provides for a thirteenth check for certain members of the: (1) Indiana state teachers' retirement fund; (2) public employees' retirement fund; (3) state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement fund; and (4) state police 1987 benefits system.

**Effective:** July 1, 2013.



A BILL FOR AN ACT concerning pensions.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE JULY 1, 2013] (a) As used in this  
2       SECTION, "fund" refers to the Indiana state teachers' retirement  
3       fund established by IC 5-10.4-2-1.

4       (b) Not later than October 1, 2013, the fund shall pay the  
5       amount determined under subsection (c) to a member of the fund  
6       (or to a survivor or beneficiary of a member) who retired or was  
7       disabled on or before December 1, 2012, and who is entitled to  
8       receive a monthly benefit on July 1, 2013. The amount is not an  
9       increase in the pension portion of the monthly benefit.

10       (c) The amount paid under this SECTION to a member of the  
11       fund (or to a survivor or beneficiary of a member) who meets the  
12       requirements of subsection (b) is determined as follows:

13       If a Member's Creditable	14       The Amount Is:
15       Service Is:	

15       At least 5 years, but less than 10 years	\$150
16       (only in the case of a member receiving	
17       disability retirement benefits)	

18       At least 10 years, but less than 20 years	\$275
19       At least 20 years, but less than 30 years	\$375
20       At least 30 years	\$450

21       (d) The creditable service used to determine the amount paid to  
22       a member (or to a survivor or beneficiary of a member) under this  
23       SECTION is the creditable service that was used to compute the  
24       member's retirement benefit under IC 5-10.2-4-4, except that  
25       partial years of creditable service may not be used to determine the  
26       amount paid under this SECTION.

27       (e) If two (2) or more survivors or beneficiaries of a member are  
28       entitled to an amount paid under this SECTION, the amount shall  
29       be allocated to the survivors or beneficiaries in shares using the  
30       same percentages as the percentages determined under  
31       IC 5-10.2-3-7.5 or IC 5-10.4-4-10 to pay the monthly benefit to the  
32       survivors or beneficiaries.



(f) This SECTION expires January 1, 2014.

SECTION 2. [EFFECTIVE JULY 1, 2013] (a) As used in this SECTION, "fund" refers to the public employees' retirement fund established by IC 5-10.3-2-1.

(b) Not later than October 1, 2013, the fund shall pay the amount determined under subsection (c) to a member of the fund (or to a survivor or beneficiary of a member) who retired or was disabled on or before December 1, 2012, and who is entitled to receive a monthly benefit on July 1, 2013. The amount is not an increase in the pension portion of the monthly benefit.

(c) The amount paid under this SECTION to a member of the fund (or to a survivor or beneficiary of a member) who meets the requirements of subsection (b) is determined as follows:

If a Member's Creditable Service Is:	The Amount Is:
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At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150
At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450

(d) The creditable service used to determine the amount paid to a member (or to a survivor or beneficiary of a member) under this SECTION is the creditable service that was used to compute the member's retirement benefit under IC 5-10.2-4-4, except that partial years of creditable service may not be used to determine the amount paid under this SECTION.

(e) If two (2) or more survivors or beneficiaries of a member are entitled to an amount paid under this SECTION, the amount shall be allocated to the survivors or beneficiaries in shares using the same percentages as the percentages determined under IC 5-10.2-3-7.5 or IC 5-10.3-8-15 to pay the monthly benefit to the survivors or beneficiaries.

(f) This SECTION expires January 1, 2014.

SECTION 3. [EFFECTIVE JULY 1, 2013] (a) As used in this SECTION, "participant" has the meaning set forth in IC 5-10-5.5-1.

(b) As used in this SECTION, "plan" refers to the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan established by IC 5-10-5.5-2.

(c) Not later than October 1, 2013, the board of trustees of the Indiana public retirement system established by IC 5-10.5-3-1 shall pay the amount determined under subsection (d) to a plan participant (or to a survivor or beneficiary of a plan participant) who retired or was disabled on or before December 1, 2012, and who is entitled to receive a monthly benefit on July 1, 2013. The



1 amount is not an increase in the annual retirement allowance.

2 (d) The amount paid under this SECTION to a plan participant  
3 (or to a survivor or beneficiary of a plan participant) who meets  
4 the requirements of subsection (c) is determined as follows:

5 If a Plan Participant's Creditable Service Is: The Amount Is:

6 Service Is:

7 At least 5 years, but less than 10 years	\$125
8 (only in the case of a member receiving	
9 disability retirement benefits)	
10 At least 10 years, but less than 20 years	\$235
11 At least 20 years, but less than 30 years	\$325
12 At least 30 years	\$400

13 (e) The creditable service used to determine the amount paid to  
14 a plan participant (or to a survivor or beneficiary of a plan  
15 participant) under this SECTION is the creditable service that was  
16 used to compute the plan participant's retirement allowance under  
17 IC 5-10-5.5-10 and IC 5-10-5.5-12, except that partial years of  
18 creditable service may not be used to determine the amount paid  
19 under this SECTION.

20 (f) If two (2) or more survivors of a plan participant are entitled  
21 to an amount paid under this SECTION, the amount shall be  
22 allocated to the survivors in shares using the same percentages as  
23 the percentages determined under IC 5-10-5.5-16 to pay the  
24 monthly benefit to the survivors.

25 (g) This SECTION expires January 1, 2014.

26 SECTION 4. [EFFECTIVE JULY 1, 2013] (a) As used in this  
27 SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.

28 (b) As used in this SECTION, "trust fund" has the meaning set  
29 forth in IC 10-12-1-11.

30 (c) Not later than October 1, 2013, the trustee shall pay from the  
31 trust fund to each employee beneficiary of the state police 1987  
32 benefit system covered by IC 10-12-4 who:

33 (1) retired or was disabled after June 30, 1987, and before  
34 July 2, 2012; and

35 (2) is entitled to receive a monthly benefit as of September 1,  
36 2013;

37 an amount equal to one percent (1%) of the maximum basic annual  
38 pension amount payable to a retired state police employee in the  
39 grade of trooper who has completed twenty-five (25) years of  
40 service as of July 1, 2013, as calculated under IC 10-12-4-7.

41 (d) The amount paid under this SECTION is not an increase in  
42 the monthly pension amount of an employee beneficiary.

43 (e) This SECTION expires January 1, 2014.

